

SENATE RECORD VOTE ANALYSIS

106th Congress
1st Session

Vote No. 311

October 5, 1999, 5:56 p.m.
Page S-11946 Temp. Record

FAA REAUTHORIZATION/New Federal Mandates on Airline Reservations

SUBJECT: Air Transportation Improvement Act . . . S. 82. Lautenberg amendment No. 1922.

ACTION: AMENDMENT REJECTED, 30-68

SYNOPSIS: As amended, S. 82, the Air Transportation Improvement Act, will reauthorize the programs of the Federal Aviation Administration (FAA) through fiscal year (FY) 2002. The bill will also modify slot exemptions at the four airports that have such exemptions, will modify the perimeter rule at Reagan National Airport, and will limit aircraft noise over national parks. Highlights are provided below.

- FAA programs will be reauthorized through fiscal year 2002;
- approximately \$2 billion annually will be authorized for safety and security improvements as well as capacity enhancements;
- the \$300 million discretionary cap on the Airport Improvement Program (AIP) will be eliminated;
- small airports will be given greater flexibility in meeting the local matching share ratio for AIP federally funded projects;
- the set-aside for AIP noise mitigation projects will be increased;
- the FAA will be permitted to fine unruly passengers;
- protections will be enacted for employees who report violations of air safety regulations ("whistleblowers");
- a 4-year pilot program will be established to identify impediments to affordable air travel for smaller communities and to increase smaller communities' access to essential airport facilities through public-private partnerships;
- 24 slot exemptions (relating to restrictions on the number of permitted flights) will be added at Reagan National Airport, 12 of which will be outside the perimeter (for related debate, see vote No. 310);
- 30 slot exemptions will be added at O'Hare Airport in Chicago (this provision was agreed to by voice vote after extensive debate on a bill provision that would have gradually eliminated slot controls at O'Hare);
- slot-controls limiting the flights at LaGuardia and JFK airports in New York will be phased out by 2007;
- the bill will not exempt the Airport and Airways Trust Fund from budget rules (the House-passed bill proposed that

(See other side)

YEAS (30)		NAYS (68)		NOT VOTING (2)	
Republicans (3 or 6%)	Democrats (27 or 60%)	Republicans (50 or 94%)	Democrats (18 or 40%)	Republicans (2)	Democrats (0)
Jeffords	Baucus	Abraham	Hatch	Akaka	Chafee- ²
Snowe	Boxer	Allard	Helms	Bayh	Mack- ²
Specter	Bryan	Ashcroft	Hutchinson	Biden	
	Byrd	Bennett	Hutchison	Bingaman	
	Cleland	Bond	Inhofe	Breaux	
	Conrad	Brownback	Kyl	Daschle	
	Dodd	Bunning	Lott	Dorgan	
	Feingold	Burns	Lugar	Durbin	
	Feinstein	Campbell	McCain	Edwards	
	Harkin	Cochran	McConnell	Graham	
	Hollings	Collins	Murkowski	Inouye	
	Johnson	Coverdell	Nickles	Kohl	
	Kennedy	Craig	Roberts	Landrieu	
	Kerrey	Crapo	Roth	Murray	
	Kerry	DeWine	Santorum	Reid	
	Lautenberg	Domenici	Sessions	Robb	
	Leahy	Enzi	Shelby	Rockefeller	
	Levin	Fitzgerald	Smith, Bob (I)	Schumer	
	Lieberman	Frist	Smith, Gordon		
	Lincoln	Gorton	Stevens		
	Mikulski	Gramm	Thomas		
	Moynihan	Grams	Thompson		
	Reed	Grassley	Thurmond		
	Sarbanes	Gregg	Voinovich		
	Torricelli	Hagel	Warner		
	Wellstone				
	Wyden				

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

arrangement based on the rationale that transportation trust funds should be protected from being diverted to other purposes; however, since the trust fund was created in 1971, total FAA expenditures have exceeded total trust fund revenues by \$6 billion; the trust fund shows a large positive balance only because FAA spending has been subsidized by the general fund (an average of 38 percent has been provided);

- restrictions will be placed on commercial overflights of national parks;
- the FAA will issue regulations on ventilation requirements for passenger cabins; and
- a study will be done of the effects that airline deregulation has had on smaller markets.

The Lautenberg amendment would require an air carrier to give a cash refund or voucher to any passenger who had a reservation on a flight and who was denied a seat on that flight. A passenger would have the option of selecting either a cash refund or a voucher for another flight, including for accommodations, if needed. The refund would have to be at least equal to the value of the ticket. If the denial of a reserved seat on a flight would result in a 2-4 hour delay in arrival time for a passenger, the air carrier would have to give a cash or voucher refund equal to twice the value or more of the ticket; if a delay of more than 4 hours would result, then a cash or voucher refund equal to three times the value or more of the ticket would be required. If a passenger had to take a flight on the next day, then the air carrier would give the passenger the greater of \$1,000 or 3 times the value of the ticket.

NOTE: After the vote, the bill, as amended, was adopted by voice vote.

Those favoring the amendment contended:

Air travel has been increasing and as it has been increasing so has the practice of overbooking flights. When flights are oversold airlines just "bump" passengers who had reservations, forcing them to take later flights. Last year, the 10 largest airlines bumped 44,797 passengers from domestic flights alone. This year they are bumping them at a greater rate—29,213 have been bumped in the

~~The amendment~~ contended: